

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 173

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Miguel P. Garcia

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO DRIVER'S LICENSES; PROVIDING THAT AN INDIVIDUAL TAX IDENTIFICATION NUMBER MAY BE USED FOR APPLICATIONS FOR DRIVER'S LICENSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-5-9 NMSA 1978 (being Laws 1978, Chapter 35, Section 231, as amended) is amended to read:

"66-5-9. APPLICATION FOR LICENSE, TEMPORARY LICENSE, PROVISIONAL LICENSE OR INSTRUCTION PERMIT. --

A. ~~Every~~ An application for an instruction permit, provisional license or driver's license shall be made upon a form furnished by the department. ~~Every~~ An application shall be accompanied by the proper fee. For permits, provisional licenses or driver's licenses other than those issued pursuant to the New Mexico Commercial Driver's License Act, submission

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 of a complete application with payment of the fee entitles the
2 applicant to not more than three attempts to pass the
3 examination within a period of six months from the date of
4 application.

5 B. ~~[Every]~~ An application shall contain the full name, social
6 security number or individual tax identification number, date
7 of birth, sex and New Mexico residence address of the applicant
8 and briefly describe the applicant and indicate whether the
9 applicant has previously been licensed as a driver and, if so,
10 when and by what state or country and whether any such license
11 has ever been suspended or revoked or whether an application
12 has ever been refused and, if so, the date of and reason for
13 the suspension, revocation or refusal. For foreign nationals
14 applying for driver's licenses the secretary shall accept the
15 individual taxpayer identification number as a substitute for a
16 social security number regardless of immigration status. The
17 secretary ~~[is authorized to]~~ shall establish by regulation
18 other documents that may be accepted as a substitute for a
19 social security number or an individual tax identification
20 number.

21 C. ~~[Every]~~ An applicant shall indicate whether he has been
22 convicted of driving while under the influence of intoxicating
23 liquor or drugs in this state or in any other jurisdiction.
24 Failure to disclose any such conviction prevents the issuance
25 of a driver's license, provisional license, temporary license

underscored material = new
[bracketed material] = delete

1 or instruction permit for a period of one year if the failure
2 to disclose is discovered by the department prior to issuance.
3 If the nondisclosure is discovered by the department subsequent
4 to issuance, the department shall revoke the driver's license,
5 provisional license, temporary license or instruction permit
6 for a period of one year. Intentional and willful failure to
7 disclose, as required in this subsection, is a misdemeanor.

8 D. ~~Every~~ An applicant less than eighteen years of age who is
9 making an application to be granted his first New Mexico
10 driver's license shall submit evidence that he has:

11 (1) successfully completed a driver education course that
12 included a DWI prevention and education program approved by the
13 bureau or offered by a public school. The bureau may accept
14 verification of driver education course completion from another
15 state if the driver education course substantially meets the
16 requirements of the bureau for a course offered in New Mexico;

17 (2) had a provisional license for the twelve-month period
18 immediately preceding the date of the application for the
19 driver's license;

20 (3) complied with restrictions on that license;

21 (4) not been convicted of a traffic violation committed during
22 the ninety days prior to applying for a driver's license;

23 (5) not been cited for a traffic violation that is pending at
24 the time of his application; and

25 (6) not been adjudicated for an offense involving the use of

underscored material = new
[bracketed material] = del ete

1 alcohol or drugs during the twelve-month period immediately
2 preceding the date of the application for the driver's license
3 and that there are no pending adjudications alleging an offense
4 involving the use of alcohol or drugs at the time of his
5 application.

6 E. ~~Every~~ An applicant eighteen years of age and over, but
7 less than twenty-five years of age, who is making an
8 application to be granted his first New Mexico driver's license
9 shall submit evidence with his application that he has
10 successfully completed a bureau-approved DWI prevention and
11 education program.

12 F. ~~Every~~ An applicant twenty-five years of age and over who
13 has been convicted of driving under the influence of
14 intoxicating liquor or drugs, and who is making an application
15 to be granted his first New Mexico driver's license, shall
16 submit evidence with his application that he has successfully
17 completed a bureau-approved DWI prevention and education
18 program.

19 G. Whenever application is received from a person previously
20 licensed in another jurisdiction, the department may request a
21 copy of the driver's record from the other jurisdiction. When
22 received, the driver's record may become a part of the driver's
23 record in this state with the same effect as though entered on
24 the driver's record in this state in the original instance.

25 H. Whenever the department receives a request for a driver's

underscored material = new
[bracketed material] = delete

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

record from another licensing jurisdiction, the record shall be
forwarded without charge.

I. This section does not apply to driver's licenses issued
pursuant to the New Mexico Commercial Driver's License Act. "